

**PATENT APPLICATION  
Q-67999**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Pascal AGIN, et al.

Appln. No.: 10/036,356

Group Art Unit: 2688

Confirmation No.: 5474

Examiner: Gelin, J.

Filed: January 07, 2002

For: A METHOD FOR IMPROVING PERFORMANCES OF A MOBILE  
RADIOCOMMUNICATION SYSTEM USING A POWER CONTROL ALGORITHM

**RESPONSE TO TWO (2) NOTIFICATIONS OF  
NON-COMPLIANT APPEAL BRIEF  
and  
REQUEST FOR INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

First, the undersigned attorney wishes to thank Examiner Gelin for the telephone interview so courteously granted to the undersigned attorney on December 30, 2005.

In response to the BPAI's "ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER" mailed on October 17, 2005, Applicant filed on **November 9, 2005** a SUPPLEMENTAL APPEAL BRIEF UNDER 37 C.F.R. § 41.37(c) containing an EVIDENCE APPENDIX and a RELATED PROCEEDINGS APPENDIX (see pages 21 and 22 thereof).

The undersigned attorney then received from Examiner Gelin: (1) on December 12, 2005 a first "Notification of Non-Complaint Appeal Brief" (Form PTOL-462) bearing a PTO mail date of **December 9, 2005**, and requiring the same two APPENDICES already supplied in the

RESPONSE TO TWO (2) NOTIFICATIONS OF NON-COMPLAINT  
APPEAL BRIEF  
U.S. APPLN. NO. 10/036,356

**Supplemental Appeal Brief filed on November 9, 2005 by Applicant; and (2) a second "Notification of Non-Compliant Appeal Brief" bearing the same mail date of December 9, 2005, but received by the undersigned attorney on December 13, 2005, and again requiring the same two APPENDIXES.**

Applicant respectfully submits that the Supplemental Appeal Brief Under 37 C.F.R. § 41.37(c) (filed on November 9, 2005) already complies with the two Notifications of Non-Complaint Appeal Brief, and that **nothing further is required by Applicant/Appellant** for return of this case to the BPAI.

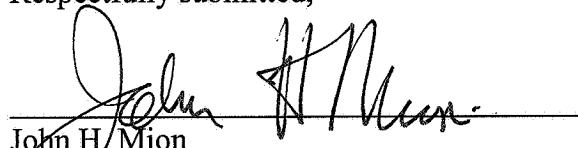
**REQUEST FOR INTERVIEW**

This Response is being filed at the request of Examiner Gelin, and is understood that, if anything further is required of Applicant/Appellant, **Examiner Gelin will call the undersigned attorney at 202-663-7901**. Otherwise, Applicant/Appellant understands that this case will be returned to

RESPONSE TO TWO (2) NOTIFICATIONS OF NON-COMPLAINT  
APPEAL BRIEF  
U.S. APPLN. NO. 10/036,356

the BPAI after the Examiner has complied with the "ORDER..." issued by the BPAI on  
**October 17, 2005.**

Respectfully submitted,

  
John H. Mion  
Registration No. 18,879  
Attorney for Applicant/Appellant

SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037-3213  
(202) 663-7901

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 3, 2006